



JAMES E. JOHNSON
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

COREY S. SHOOCK
Senior Counsel
phone: (212) 356-5051
cshoock@law.nyc.gov

July 10, 2020

By ECF

Honorable Naomi Reice Buchwald
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Christopher Cuevas v. City of New York, et al.
19 Civ. 6709 (NRB)(KNF)

Your Honor:

I am a Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York and the attorney assigned to represent defendants City of New York, Zohaib Iqbal, and Daryl Melhado in the above-referenced matter. The parties write jointly to provide a status update to the Court, and to respectfully request that the stay issued in this matter on March 30, 2020, continue until August 24, 2020.

The parties previously informed the Court in its status report dated February 21, 2020, that this case was governed by Local Civil Rule 83.10, and as such the parties have already exchanged Initial Disclosures and Limited Discovery pursuant to that local rule. What remains is the exchange of any additional paper discovery, discovery demands and responses, and depositions. (See ECF No. 10.)

On February 25, 2020, the Court scheduled the Initial Conference in this matter to take place on April 1, 2020. Shortly thereafter, the COVID-19 public health emergency prompted the New York City Law Department to direct its staff to work remotely to the extent practicable. Counsel for Defendants has been working remotely since March 16, 2020. For the majority of the time between the start of the pandemic-related quarantine and the filing of this joint status letter, the personnel of the New York City Police Department (“NYPD”) responsible for responding to requests for documents from that agency was redeployed to policing assignments and were unable to process requests for documents and other materials relevant to this and other cases. In very recent weeks, those units have re-opened, but have been confronted with the

backlog that accumulated during their absence. Likewise, during much of the health crisis and later in response to public civil rights demonstrations, patrol personnel had been commanded to serve 12-hour shifts to compensate for the loss in manpower lost due to the thousands of NYPD members who have been directly affected by the virus. Thus, the capacity of Defendants to interview individual Defendants and obtain, evaluate, and produce further discovery has been severely restricted. There still remain delays in Defendants' ability to evaluate such material and prepare it for production.

Further, counsel for Plaintiff represents that he is unable to fully participate in discovery at this time due to significant personal and family circumstances. Plaintiff's counsel expects that by late August, he will be in a position to earnestly move forward with discovery.

Therefore, the continuation of the stay so-ordered on March 30, 2020, will accommodate counsel's other personal and other professional obligations and will allow the parties to continue their efforts to gather additional information and documents at this time..


In conclusion, the parties respectfully request that the Court continue the stay of all proceedings in this matter until August 24, 2020.

The parties thank the Court for its consideration.

Respectfully submitted,

Corey S. Shook /s
Corey S. Shook
Senior Counsel
Special Federal Litigation Division

SO ORDERED.


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Date: July 13, 2020

cc: Samuel C. DePaola, Esq. (By ECF)
Sim & DePaola, LLP
Attorneys for Plaintiff
42-40 Bell Boulevard, Suite 201
Bayside, New York 11361